

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:12cv273**

**BRYAN HEMPHILL,**

**Plaintiff,**

**vs.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**


**ORDER OF DISMISSAL**

**THIS MATTER** is before the Court on the Plaintiff's Motion to Dismiss Civil Action Pursuant to Rule 41(a)(2) Federal Rules of Civil Procedure [Doc. 12].

Plaintiff's counsel concedes in the motion that this matter cannot be further prosecuted in good faith. Counsel for the Defendant consents to dismissal. The Court will therefore grant the motion.

**IT IS, THEREFORE, ORDERED** that the Plaintiff's Motion to Dismiss Civil Action Pursuant to Rule 41(a)(2) Federal Rules of Civil Procedure [Doc. 12] is hereby **GRANTED** and this action is hereby **DISMISSED**.

Signed: March 5, 2013

  
Martin Reidinger  
United States District Judge



